

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Mr. JOE ARPAIO, Elected SHERIFF of
Maricopa County, State of Arizona

Plaintiff,

v.

Mr. BARACK HUSSEIN OBAMA, acting
as President of the United States of America

and

Mr. JEH CHARLES JOHNSON, acting as Secretary
of the U.S. Department of Homeland Security

and

Mr. LEON RODRIQUEZ, acting as Director
of the U.S. Citizenship and Immigration Services

Defendants.

Case 1:14-cv-01966

**DECLARATION OF JONATHON MOSELEY, FREEDOM WATCH,
IN SUPPORT OF PLAINTIFF'S MOTION FOR INJUNCTION**

Pursuant to 28 U.S.C. §1746, I, Jonathon Moseley, hereby declare under penalty of perjury that the following is true and correct:

- 1) I am over the age of 18 years old and mentally and legally competent to make this affidavit sworn under oath.
- 2) I searched the publicly released budget information for the United States Immigration and Customs Enforcement (ICE) and United States Citizenship and Immigration Services (USCIS) components of the United States Department of Homeland Security, at the websites of the Office of Management and Budget and the Department of Homeland Security.

- 3) The published budgets and budget requests of the U.S. Department of Homeland Security, technically admissions by a party-opponent, report the following information which was submitted to Congress by the U.S. Department of Homeland Security and now posted on the Department's website at <http://www.dhs.gov/dhs-budget>.
- 4) Those segments of the President's budgetary request to Congress applying to ICE and to USCIS for each fiscal year recites the amount of funding requested by the Department for ICE and USCIS and the amount actually appropriated by Congress in the prior fiscal year.
- 5) The U.S. Congress appropriated nearly \$465 million more for USCIS than the U.S. Department of Homeland Security requested in and since fiscal year 2006.

Immigration and Customs Enforcement (ICE)

2006 Budget Request:	\$4,364,270,000	Congress Appropriated	\$3,879,443,000
2007 Budget Request:	\$4,696,932,000	Congress Appropriated	\$4,726,641,000
2008 Budget Request:	\$5,014,500,000	Congress Appropriated	\$5,576,080,000
2009 Budget Request:	\$5,676,085,000	Congress Appropriated	\$5,948,210,000
2010 Budget Request:	\$5,762,800,000	Congress Appropriated	\$5,741,752,000
2011 Budget Request:	\$5,835,187,000	Congress Appropriated	\$5,748,339,000
2012 Budget Request:	\$5,822,576,000	Congress Appropriated	\$5,862,453,000
2013 Budget Request:	\$5,644,061,000	Congress Appropriated	\$5,879,064,000
2014 Budget Request:	\$5,341,722,000	Congress Appropriated	\$5,610,663,000

U.S. Citizenship and Immigration Services (USCIS)

2006 Budget Request:	\$1,854,000,000	Congress Appropriated	\$1,887,850,000
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2007 Budget Request:	\$1,985,990,000	Congress Appropriated	\$1,985,990,000
2008 Budget Request:	\$2,568,872,000	Congress Appropriated	\$2,619,173,000
2009 Budget Request:	\$2,689,726,000	Congress Appropriated	\$2,690,926,000
2010 Budget Request:	\$2,867,232,000	Congress Appropriated	\$2,859,997,000
2011 Budget Request:	\$2,812,357,000	Congress Appropriated	\$3,029,829,000
2012 Budget Request:	\$2,906,865,000	Congress Appropriated	\$3,078,465,000
2013 Budget Request:	\$3,005,383,000	Congress Appropriated	\$3,005,383.000
2014 Budget Request:	\$3,219,466,000	Congress Appropriated	\$3,217,236,000

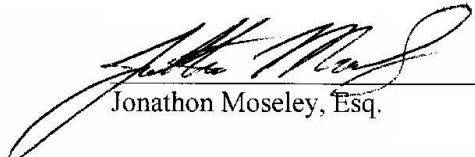
- 6) I am engaged as an independent contractor performing occasional legal services part-time for the Plaintiff Freedom Watch, Inc.
- 7) I am familiar with the budgetary information and historical tables published by the Office of Management and Budget, a part of the Executive Office of the President, including as posted on the website of OMB.
- 8) I earned a Bachelors of Science in Business Administration with a major in Finance from the University of Florida in Gainesville, Florida.
- 9) I studied an additional year of post-graduate accounting at the University of Florida.
- 10) I worked from 1987 through 1992 as a management analyst in the United States Department of Education (USED).
- 11) While working at USED, I became directly familiar as part of my work with the budget of the United States and the budgeting process for the Federal Departments.
- 12) In fact, I was “hired” to work at OMB on the basis of being detailed from USED to OMB while remaining on the USED payroll, but the use of a Full Time Equivalent (FTE) slot to detail me to OMB was not approved by the Office of Management.

13) While working in the Executive Office of the Office of Bilingual Education and Minority Languages Affairs (OBEMLA), I prepared the budget requests for OBEMLA to the United States Congress to be forwarded through OMB, including the briefing books to prepare the Director of OBEMLA, Alica Coro, to testify in support of the budget request in Congress, under the delegation and direction of the Executive Officer of OBEMLA.

14) I left the U.S. Department of Education in 1992 to attend George Mason University School of Law in Arlington, Virginia.

15) As a result, I am directly familiar from my professional work with the budgetary process for Federal Departments, the budget requests prepared and submitted to Congress, and the historical budgetary tables and reports of the U.S. Government.

I hereby swear under oath and penalty of perjury that the foregoing facts are true and correct to the best of my knowledge and belief:


Jonathon Moseley, Esq.

Dated: December 1, 2014

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